## BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF	)	
CABLE & WIRELESS USA, INC., FOR	)	
AUTHORITY TO ABANDON SERVICE WITHIN	)	PSC DOCKET NO. 04-96
THE STATE OF DELAWARE	)	
(FILED MARCH 16, 2004)	)	

## ORDER NO. 6382

AND NOW, to-wit, this 6<sup>th</sup> day of April, 2004;

WHEREAS, on March 16, 2004, Cable & Wireless USA, Inc. ("C&W USA"), filed an application seeking authority to abandon service within the State of Delaware; and

WHEREAS, C&W USA was granted a Certificate of Public Convenience and Necessity ("CPCN") pursuant to Rule 7 of the PSC "Rules for the Provision of Telecommunications Services", to provide competitive intrastate telecommunications services by PSC Order No. 3663 in PSC Docket No. 93-64 (Aug. 24, 1993); and

WHEREAS, 26 Del. C. § 203A(c)(1) provides that no public utility shall abandon or discontinue, in whole or in part, any business, operations, or services provided under a CPCN or otherwise, which are subject to jurisdiction of the Commission without first having received Commission approval for such abandonment or discontinuance; and

WHEREAS, C&W USA filed with the Commission a verified application seeking the entry of an Order of the Commission canceling and terminating its CPCN; and

WHEREAS, C&W USA has asserted that it has no customers in Delaware and no outstanding liabilities to any Delaware customers in the form of deposits nor prepayments for any of its services; and

WHEREAS, the Commission has determined that applications to terminate CPCNs granted to provide competitive intrastate and local exchange telecommunications services should be routinely approved upon the filing of a verified application and that, in a competitive market, such abandonment or discontinuance is presumptively reasonable, necessary, and not unduly disruptive to the present or future public convenience and necessity; now, therefore,

## IT IS ORDERED:

- 1. That, upon the express condition that the representations in the verified application of Cable & Wireless USA, Inc., are true and correct, said application to abandon the provision of competitive intrastate telecommunications service as a public utility filed by Cable & Wireless USA, Inc., is hereby granted and approved effective with the date of this Order.
- 2. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae
Chair

Vice Chair

/s/ Joann T. Conaway
Commissioner

/s/ Donald J. Puglisi
Commissioner

PSC Docket No. 04-96, Order No. 6382 Cont'd.

/s/	Jaymes	B.Lester			
Commissioner					

ATTEST:

/s/ Karen J. Nickerson Secretary